

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

ROBERT CARROLL, JR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:20-cv-01580-ACA-HNJ
)	
VICKI WHITE, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

After mail sent to Plaintiff Robert Carroll, Jr. at his address of record was returned to the court marked “Return to Sender” and “No such person here or has been released from our facility” (doc. 41), the magistrate judge ordered Mr. Carroll to update his address of record and notify the court about whether he wished to continue prosecuting this action (doc. 42). Mr. Carroll failed to respond, and the magistrate judge’s order was again returned as undeliverable, so the magistrate judge entered a report recommending that the court dismiss the action for failure to prosecute. (Doc. 46). The report and recommendation mailed to Mr. Carroll’s address of record has been returned as undeliverable (doc. 47), without any response or objection from Mr. Carroll.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the

magistrate judge's report and **ACCEPTS** the recommendation. Accordingly, the court **WILL DISMISS** this action **WITHOUT PREJUDICE** for failure to prosecute.

The court will enter a separate final order.

DONE and **ORDERED** this November 2, 2021.

A handwritten signature in black ink, appearing to read 'Annemarie', is positioned above a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE